

HOUSE CS FOR CS FOR SENATE BILL NO. 241(RLS) am H

IN THE LEGISLATURE OF THE STATE OF ALASKA

THIRTY-FIRST LEGISLATURE - SECOND SESSION

BY THE HOUSE RULES COMMITTEE

Amended: 3/26/20

Offered: 3/26/20

Sponsor(s): SENATE RULES COMMITTEE BY REQUEST OF THE GOVERNOR

A BILL

FOR AN ACT ENTITLED

1 **"An Act extending the March 11, 2020, governor's declaration of a public health**
2 **disaster emergency in response to the novel coronavirus disease (COVID-19) pandemic;**
3 **relating to the COVID-19 outbreak; relating to a financing plan; relating to standing**
4 **orders of the chief medical officer; relating to occupational and professional licensing;**
5 **relating to telemedicine and telehealth; relating to fingerprinting requirements; relating**
6 **to elections in calendar year 2020; relating to permanent fund dividend applications;**
7 **relating to automatic voter registration; relating to tax filings, payments, and penalties;**
8 **relating to shareholder meetings; relating to corporations; relating to municipal**
9 **government deadlines; relating to the Alaska regional economic assistance program;**
10 **establishing a conclusive presumption that COVID-19 is an occupational disease for**
11 **firefighters, emergency medical technicians, paramedics, peace officers, and health care**
12 **providers; relating to allowable absences for the permanent fund dividend; relating to**

1 the Department of Health and Social Services; relating to retail sellers; tolling deadlines
 2 for action by the Regulatory Commission of Alaska; relating to disconnection of utility
 3 service for nonpayment; relating to power cost equalization; relating to regulatory assets
 4 of a utility; relating to evictions; and providing for an effective date."

5 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

6 * **Section 1.** The uncodified law of the State of Alaska is amended by adding a new section
 7 to read:

8 FINDINGS. (a) The legislature finds that

9 (1) in December 2019, a novel coronavirus known as severe acute respiratory
 10 syndrome coronavirus 2 (SARS-CoV-2) was first detected in Wuhan, Hubei province,
 11 People's Republic of China, leading to outbreaks of novel coronavirus disease (COVID-19)
 12 that have now spread globally;

13 (2) on January 31, 2020, the United States Secretary of Health and Human
 14 Services declared a public health emergency under 42 U.S.C. 247d (Public Health Service
 15 Act);

16 (3) to date, 50 states have confirmed cases of COVID-19, including
 17 confirmation of community transmission of COVID-19;

18 (4) on March 11, 2020, the commissioner of health and social services
 19 certified to the governor that there is a high probability that COVID-19 presents a credible
 20 threat of an imminent outbreak of the disease in the state, meeting the definition of disaster
 21 under AS 26.23.900(2)(E);

22 (5) on March 11, 2020, the governor issued a declaration of a public health
 23 disaster emergency under AS 26.23.020 in anticipation of the spread of COVID-19 to the
 24 state;

25 (6) in the disaster declaration issued March 11, 2020, the governor found that
 26 a statewide response under AS 18.15.390 is required to address the public health disaster
 27 emergency and authorized the commissioner of health and social services and the adjutant
 28 general of military and veterans' affairs to take all actions necessary to address the public
 29 health disaster emergency;

(7) on March 12, 2020, the Department of Health and Social Services and the governor announced that the first case of COVID-19 was diagnosed in an individual in Anchorage;

(8) additional cases of COVID-19 are being diagnosed across the state;

(9) the chief medical officer in the Department of Health and Social Services and the commissioner of health and social services have determined that it will take months of monitoring and active public health management, including closing public facilities, limiting public events, and establishing quarantine and isolation protocols and enforcement under AS 18.15.390, to contain the spread of COVID-19;

(10) the adjutant general of the Alaska organized militia has determined that it may be necessary for the Department of Military and Veterans' Affairs, under the guidance of the commissioner of health and social services, to use personnel and other resources of the Department of Health and Social Services to institute actions under AS 26.23.020, including provisions to perform or facilitate performance of disaster emergency services.

(b) Based on the findings in (a) of this section, the legislature finds that it is in the best interest of the state to extend the public health disaster emergency declaration issued by the governor on March 11, 2020, and all the powers granted under AS 18.15.390 and AS 26.23.020, until November 15, 2020.

* **Sec. 2.** The uncodified law of the State of Alaska is amended by adding a new section to read:

PUBLIC HEALTH DISASTER EMERGENCY; EXTENSION OF DISASTER EMERGENCY. (a) Under AS 26.23.020(c), the Alaska State Legislature extends to November 15, 2020, the declaration of a public health disaster emergency issued by the governor on March 11, 2020. The extension under this subsection includes an order, proclamation, or regulation issued under AS 26.23.020 and an action taken by the Department of Health and Social Services under the authority granted to the Department of Health and Social Services under AS 18.15.390.

(b) Notwithstanding (a) of this section, if the commissioner of health and social services certifies to the governor that there is no longer a present outbreak of novel coronavirus disease (COVID-19) or a credible threat of an imminent outbreak of COVID-19, the governor shall issue a proclamation that the public health disaster emergency identified in

1 the declaration issued by the governor on March 11, 2020, no longer exists as of a date
 2 determined by the governor. The certification must be based on specific information received
 3 from a state or federal agency or another source that the commissioner determines to be
 4 reliable.

5 (c) The governor shall submit a proclamation issued under (b) of this section to the
 6 revisor of statutes, the president of the senate, the speaker of the house of representatives, and
 7 the lieutenant governor.

8 * **Sec. 3.** The uncodified law of the State of Alaska is amended by adding a new section to
 9 read:

10 PUBLIC HEALTH DISASTER EMERGENCY; FINANCING PLAN. (a) Under
 11 AS 26.23.020(k), the Alaska State Legislature approves this financing plan for the declaration
 12 of a public health disaster emergency issued by the governor on March 11, 2020, as extended
 13 by sec. 2 of this Act, and provides that the following appropriations and authorizations may be
 14 used to cope with the public health disaster emergency:

15 (1) the appropriations made in sec. 8, ch. 2, SLA 2020;

16 (2) the appropriations made in sec. 10, SCS CSHB 234(FIN), Department of
 17 Health and Social Services, Thirty-First Alaska State Legislature;

18 (3) the authorization made in sec. 1, CCS HB 205, Department of Health and
 19 Social Services, Thirty-First Alaska State Legislature, allowing for up to \$20,000,000 in
 20 transfers between all appropriations made in the Department of Health and Social Services,
 21 except for transfers from the Medicaid services appropriation;

22 (4) the appropriations made in CCS HB 205, Department of Health and Social
 23 Services, Thirty-First Alaska State Legislature,

24 (A) of federal receipts received during the fiscal year ending June 30,
 25 2021, for Medicaid services; and

26 (B) to the Department of Health and Social Services public health
 27 emergency response for the purpose of responding to the COVID-19 public health
 28 disaster emergency; and

29 (5) the appropriation made in CCS HB 205, Thirty-First Alaska State
 30 Legislature, to the disaster relief fund under AS 26.23.300(a).

31 (b) The governor may not expend more than a cumulative total of \$10,000,000 of the

1 assets of the disaster relief fund under AS 26.23.020(h) - (k) or 26.23.300(b) in response to
 2 the declaration of a public health disaster emergency issued by the governor on March 11,
 3 2020, as extended by sec. 2 of this Act.

4 (c) Notwithstanding AS 26.23.050(b), the expenditure of state funds to cope with the
 5 effects of the declaration of a public health disaster emergency issued by the governor on
 6 March 11, 2020, as extended by sec. 2 of this Act, is limited to the appropriations and
 7 expenditure authority identified in (a) and (b) of this section.

8 * **Sec. 4.** The uncodified law of the State of Alaska is amended by adding a new section to
 9 read:

10 **STANDING ORDERS.** (a) The chief medical officer in the Department of Health and
 11 Social Services, or, if the chief medical officer is incapacitated, the chief medical officer's
 12 designee, shall issue standing orders for public health agents and health care providers related
 13 to essential public health services and functions and in response to conditions of public health
 14 importance that are related to novel coronavirus disease (COVID-19). Standing orders shall
 15 be effective until retracted or for the duration of the public health disaster emergency
 16 declaration issued by the governor on March 11, 2020, as extended by sec. 2 of this Act.

17 (b) The chief medical officer in the Department of Health and Social Services is not
 18 liable for civil damages resulting from an act or omission in issuing a standing order
 19 authorized under this section if

20 (1) the standing order

21 (A) is issued to health care providers;

22 (B) is required to mitigate the novel coronavirus disease (COVID-19)
 23 public health disaster emergency; and

24 (C) contains sufficient information in support of the need for a
 25 standing order; and

26 (2) the chief medical officer provides sufficient education or training required
 27 to properly implement the standing order, including training manuals, video recordings, and
 28 other reasonable means of implementing the standing order.

29 (c) Except as provided in (d) of this section, a public health agent or health care
 30 provider who takes action based on a standing order issued by the chief medical officer is not
 31 liable for civil damages resulting from an act or omission in implementing the standing order.

(d) Nothing in this section precludes liability for civil damages as a result of gross negligence, recklessness, or intentional misconduct.

(e) In this section, "essential public health services and functions," "health care provider," and "public health agent" have the meanings given in AS 18.15.395.

* **Sec. 5.** The uncodified law of the State of Alaska is amended by adding a new section to read:

REPORTS. Beginning May 1, 2020, the governor shall electronically submit, on the first day of each month, a report to the president of the senate and the speaker of the house of representatives that lists the expenditures used to cope with the public health disaster emergency declared by the governor on March 11, 2020, as extended by sec. 2 of this Act, and identifies all actions taken by the governor, the Department of Health and Social Services, the Department of Military and Veterans' Affairs, and other state agencies directly related to the prevention, control, and status of novel coronavirus disease (COVID-19) cases in the state. The report must include an explanation, made without disclosing information that would identify individuals, of any activities related to the isolation or quarantine of individuals to contain the spread of COVID-19. The governor shall submit a final report not later than January 15, 2021, or 60 days after the date the governor determines, under sec. 2 of this Act, that the public health disaster emergency no longer exists, whichever is earlier. Each report submitted under this section must include cumulative information.

* **Sec. 6.** The uncodified law of the State of Alaska is amended by adding a new section to read:

PROFESSIONAL AND OCCUPATIONAL LICENSING. (a) Notwithstanding any other provision of law, during the public health disaster emergency declared by the governor under AS 26.23.020 on March 11, 2020, as extended by sec. 2 of this Act, a professional or occupational licensing board listed in AS 08.01.010, or the director, with respect to a profession regulated by the Department of Commerce, Community, and Economic Development, may grant a license, permit, or certificate on an expedited basis to an individual who holds a corresponding license, permit, or certificate in good standing in another jurisdiction to the extent necessary to respond to the public health disaster emergency. A license expedited under this section expires on the earlier of

(1) November 15, 2020; or

(2) the date the governor determines, under sec. 2 of this Act, that the public health disaster emergency no longer exists.

(b) Notwithstanding any other provision of law and to the extent necessary to respond to the public health disaster emergency, a board listed in AS 08.01.010, the commissioner of commerce, community, and economic development, or the director, as applicable, may take additional action necessary to protect public health, safety, and welfare, including

(1) temporarily waiving or modifying the continuing education requirements required for licensees to renew a professional license, permit, or certificate in calendar year 2020;

(2) regulating the scope and duration of any license, permit, or certificate issued under this section;

(3) requiring any individual granted a license, permit, or certificate under this section to arrange and agree to supervision, in-person or by other means, by an individual who holds a license, permit, or certificate in good standing for the applicable profession or by an administrator of a facility licensed under AS 47.32;

(4) not increasing licensing fees.

(c) An individual seeking or holding an expedited license, permit, or certificate under this section who travels to the state from outside the state must comply with travel restrictions ordered or guidelines recommended by the Centers for Disease Control and Prevention, United States Department of Health and Human Services that are in effect at the time the individual arrives in the state.

(d) In this section, "director" means the director of the division in the Department of Commerce, Community, and Economic Development responsible for business and professional licensing.

* **Sec. 7.** The uncodified law of the State of Alaska is amended by adding a new section to read:

TELEMEDICINE AND TELEHEALTH. (a) Notwithstanding any other provision of law, during the public health disaster emergency declared by the governor under AS 26.23.020 on March 11, 2020, as extended by sec. 2 of this Act, the provisions of AS 08.64.170 and AS 08.68.160 do not apply to a health care provider who is providing treatment, rendering a diagnosis, or prescribing, dispensing, or administering a prescription,

1 excluding a controlled substance listed under AS 11.71.140 - 11.71.190, through telehealth as
 2 defined in AS 47.05.270(e), without first conducting an in-person physical examination, if

3 (1) the health care provider is licensed, permitted, or certified to provide
 4 health care services in another jurisdiction and is in good standing in the jurisdiction that
 5 issued the license, permit, or certification;

6 (2) the health care services provided without an in-person physical
 7 examination are within the provider's authorized scope of practice in the jurisdiction that
 8 issued the provider's license, permit, or certification;

9 (3) in the event that the health care provider determines that the encounter will
 10 extend beyond the scope of practice or scope of services described in this section, the health
 11 care provider advises the patient that the health care provider is not authorized to provide the
 12 services to the patient, recommends that a patient contact a health care provider licensed in
 13 the state, and terminates the encounter.

14 (b) The amount charged by a health care provider for services provided under this
 15 section must be reasonable and consistent with the ordinary fees typically charged for that
 16 service and may not be more than five percent above the ordinary fees typically charged for
 17 that service. A health care provider who is required to terminate an encounter under (a)(3) of
 18 this section may not charge for any services provided during the encounter.

19 (c) Notwithstanding any other provision of law, during the public health disaster
 20 emergency declared by the governor under AS 26.23.020 on March 11, 2020, as extended by
 21 sec. 2 of this Act, the commissioner of health and social services may waive any state law or
 22 regulation if compliance would substantially prevent or impede the provision of health care
 23 services under this section. Nothing in this subsection may be construed to abrogate authority
 24 granted to the commissioner of health and social services under AS 18.15.390.

25 (d) In this section, "health care provider" has the meaning given in AS 18.15.395.

26 * **Sec. 8.** The uncodified law of the State of Alaska is amended by adding a new section to
 27 read:

28 FINGERPRINTING. For the duration of the public health disaster emergency
 29 declaration issued by the governor on March 11, 2020, as extended by sec. 2 of this Act, the
 30 Department of Commerce, Community, and Economic Development shall coordinate with the
 31 Department of Health and Social Services and the Department of Public Safety to expedite the

process for applicants under AS 08.29, AS 08.36, AS 08.64, AS 08.68, AS 08.71, AS 08.72, AS 08.80, AS 08.84, and AS 08.86 to submit fingerprints.

* **Sec. 9.** The uncoded law of the State of Alaska is amended by adding a new section to read:

ELECTIONS: LIEUTENANT GOVERNOR. (a) Notwithstanding any provision in AS 15.15 or AS 15.20 to the contrary, for the duration of the public health disaster emergency declaration issued by the governor on March 11, 2020, the director of the division of elections may conduct all elections in the same manner as an election by mail under AS 15.20.800.

(b) The director of the division of elections may adopt regulations necessary to implement this section, including emergency regulations. The director shall inform Alaskans if the calendar year 2020 elections will be held in the same manner as an election by mail under AS 15.20.800. The means to inform Alaskans include, but are not limited to, mail, email, phone calls, social media, public service announcements, radio advertisements, television advertisements, web announcements, or print media.

* **Sec. 10.** The uncoded law of the State of Alaska is amended by adding a new section to read:

PERMANENT FUND DIVIDENDS: APPLICATIONS. Notwithstanding AS 43.23.011(a), the application period for a 2020 dividend ends April 30, 2020.

* **Sec. 11.** The uncoded law of the State of Alaska is amended by adding a new section to read:

TAX FILINGS, PAYMENTS, AND PENALTIES. Except for any tax return, report, or payment required under AS 43.55 or AS 43.56, a taxpayer required to file a tax return, including an amended return or an information return or report, to the Department of Revenue or to make a payment to the Department of Revenue for a tax, fee, or other charge under AS 05.15, AS 16.10.455, AS 16.51, or AS 43, on or after the effective date of this Act and before July 15, 2020, shall automatically receive an extension of time until July 15, 2020, to file the return, report, or payment. Because of the application of the extensions in this section, a penalty or interest will not be assessed if the taxpayer complies with the filing and payment requirements on or before July 15, 2020. An extension under this section does not apply to a taxpayer for any return or report required to be filed before the effective date of this Act and any payment of tax, interest, penalty, or other charge due before the effective date of this Act.

1 * **Sec. 12.** The uncoded law of the State of Alaska is amended by adding a new section to
2 read:

3 MEETINGS OF SHAREHOLDERS; NOTICE OF SHAREHOLDER MEETINGS;
4 CORPORATIONS. (a) Notwithstanding AS 10.06.405, a meeting of shareholders may be
5 held by electronic communication to the extent the corporation's board authorizes and adopts
6 guidelines to govern an electronic meeting.

7 (b) Notwithstanding AS 10.06.410, a corporation that has or is planning to, on the
8 effective date of this Act, distribute a proxy statement and notice of annual meeting to its
9 shareholders may renote or notice the annual meeting so that the annual meeting may be
10 held by electronic communication authorized under (a) of this section.

11 (c) Notwithstanding AS 10.20.061 - 10.20.076, a meeting of the members of a
12 nonprofit corporation organized under AS 10.20, including meeting notice and determination
13 of a quorum, may be held by telecommunication to the extent the corporation's board adopts
14 or amends bylaws to allow for an electronic meeting.

15 (d) Notwithstanding AS 10.20.061 - 10.20.076, a meeting, including the notice of the
16 meeting and determination of a quorum, of the members of a corporation subject to AS 10.20,
17 including a village corporation organized under 43 U.S.C. 1601 et seq. (Alaska Native Claims
18 Settlement Act) and a Native corporation formed under AS 10.20, may be held by electronic
19 communication and telecommunication to the extent the corporation's board authorizes and
20 adopts guidelines to govern an electronic meeting.

21 * **Sec. 13.** The uncoded law of the State of Alaska is amended by adding a new section to
22 read:

23 MUNICIPAL GOVERNMENT DEADLINES. Notwithstanding any provision in
24 AS 29 to the contrary, a deadline established under AS 29 that occurs on or after the effective
25 date of this Act is extended until the earlier of

26 (1) November 15, 2020; or

27 (2) the date the governor determines, under sec. 2 of this Act, that the public
28 health disaster emergency no longer exists.

29 * **Sec. 14.** The uncoded law of the State of Alaska is amended by adding a new section to
30 read:

31 ALASKA REGIONAL ECONOMIC ASSISTANCE PROGRAM. (a)

1 Notwithstanding AS 44.33.896, the Department of Commerce, Community, and Economic
 2 Development may make grants to organizations for distribution as financial assistance to
 3 businesses with operating expenses during the COVID-19 disaster. The Department of
 4 Commerce, Community, and Economic Development shall distribute grants under this
 5 subsection among qualified organizations based on regional population.

6 (b) An organization that receives a grant under (a) of this section shall

7 (1) develop an application procedure for a business to apply for financial
 8 assistance;

9 (2) determine the amount of financial assistance for distribution to a business
 10 based on the size, assets, resources, financial history, and needs of the business; and

11 (3) provide information requested by the Department of Commerce,
 12 Community, and Economic Development for purposes of the report compiled under
 13 AS 44.33.896(e).

14 (c) In this section, "organization" has the meaning given in AS 44.33.896.

15 * **Sec. 15.** The uncoded law of the State of Alaska is amended by adding a new section to
 16 read:

17 **WORKERS' COMPENSATION PRESUMPTION OF COMPENSABILITY.** (a)
 18 Notwithstanding AS 23.30.121, 23.30.395(2), and 23.30.395(24), an employee who contracts
 19 the novel coronavirus disease (COVID-19) is conclusively presumed to have contracted an
 20 occupational disease arising out of and in the course of employment if, during the public
 21 health disaster emergency declared by the governor under AS 26.23.020 on March 11, 2020,
 22 as extended by sec. 2 of this Act, the employee

23 (1) is employed as a firefighter, emergency medical technician, paramedic,
 24 peace officer, or health care provider;

25 (2) is exposed to COVID-19 in the course of employment; and

26 (3) receives a

27 (A) COVID-19 diagnosis by a physician;

28 (B) presumptive positive COVID-19 test result; or

29 (C) laboratory-confirmed COVID-19 diagnosis.

30 (b) In this section,

31 (1) "emergency medical technician" has the meaning given in AS 18.08.200;

(2) "firefighter" means

(A) a person employed by a state or municipal fire department or who is a member of a volunteer fire department registered with the state fire marshal; or

(B) a person registered for purposes of workers' compensation with the state fire marshal as a member of a volunteer fire department;

(3) "health care provider" has the meaning given in AS 13.52.390;

(4) "paramedic" has the meaning given in AS 12.55.185;

(5) "peace officer" has the meaning given in AS 11.81.900.

* **Sec. 16.** The uncoded law of the State of Alaska is amended by adding a new section to read:

ALLOWABLE ABSENCE FOR THE PERMANENT FUND DIVIDEND.
Notwithstanding AS 43.23.005(a)(4) and 43.23.008(d), during the public health disaster emergency declared by the governor under AS 26.23.020 on March 11, 2020, as extended by sec. 2 of this Act, an individual otherwise eligible for a permanent fund dividend who has notified the commissioner of revenue or the commissioner's designee that the individual expects to be absent from the state for a continuous period beginning on or after March 11, 2020, remains eligible to receive a permanent fund dividend if the only reason the individual would be ineligible to receive a permanent fund dividend is that the individual was absent from the state because of conduct, including maintaining a voluntary or compulsory quarantine, related to avoiding or preventing the spread of the novel coronavirus disease (COVID-19).

* **Sec. 17.** The uncoded law of the State of Alaska is amended by adding a new section to read:

DEPARTMENT OF HEALTH AND SOCIAL SERVICES; RETAIL SELLERS.
Notwithstanding any other provision of law, for the duration of the public health disaster emergency declared by the governor under AS 26.23.020 on March 11, 2020, as extended by sec. 2 of this Act, the Department of Health and Social Services may, in coordination with the Department of Military and Veterans' Affairs, establish sanitation procedures for retail sellers. In this section, "retail seller" includes a market, grocery store, convenience store, drug store, or similar establishment that

(1) is located in a permanent building; and

(2) sells to consumers household supplies, perishable items, or food merchandise, including meat, produce, dairy products, or snack foods.

* **Sec. 18.** The uncodified law of the State of Alaska is amended by adding a new section to read:

TOLLING DEADLINES FOR ACTION BY THE REGULATORY COMMISSION OF ALASKA DURING THE COVID-19 OUTBREAK. Notwithstanding a contrary provision of AS 42, including a provision of AS 42.05 or AS 42.08, during the novel coronavirus disease (COVID-19) public health disaster emergency declared by the governor on March 11, 2020, as extended by sec. 2 of this Act, all statutory and regulatory deadlines for action by the Regulatory Commission of Alaska are tolled and failure by the Regulatory Commission of Alaska to act on a filing does not constitute approval or dismissal by the commission. This section does not apply to a statutory or regulatory deadline extended by the commission before March 11, 2020, for good cause under AS 42.05.175(f).

* **Sec. 19.** The uncodified law of the State of Alaska is amended by adding a new section to read:

MORATORIUM ON DISCONNECTION OF RESIDENTIAL UTILITY SERVICE.

(a) During the novel coronavirus disease (COVID-19) public health disaster emergency declared by the governor on March 11, 2020, as extended by sec. 2 of this Act, a public utility as defined in AS 42.05.990 may not disconnect for nonpayment the residential utility service of a person experiencing financial hardship related to the COVID-19 public health disaster emergency. A public utility shall make reasonable efforts to reconnect utility service to a dwelling that is occupied by a person experiencing financial hardship related to the COVID-19 public health disaster emergency and that is disconnected for nonpayment on or after March 11, 2020.

(b) A person seeking protection under (a) of this section shall, before the emergency declaration expires,

(1) provide to the public utility a signed statement, sworn under penalty of perjury, that the person is experiencing financial hardship related to the COVID-19 public health disaster emergency; and

(2) negotiate and agree to a deferred payment arrangement with the utility.

(c) This section does not relieve a public utility customer of the obligation to pay for

1 utility service or restrict a public utility's ability to recover an amount due.

2 (d) A utility shall offer a person receiving protection under (a) of this section a
3 deferred payment option allowing repayment over a period of time not shorter than the period
4 of time of the public health disaster emergency declared by the governor on March 11, 2020,
5 as extended by sec. 2 of this Act. The utility may not impose interest or late fees on a person
6 receiving protection under (a) of this section who fulfills the terms of a deferred payment
7 agreement.

8 (e) Notwithstanding any contrary provision of law, the Regulatory Commission of
9 Alaska and the Alaska Energy Authority may not deny a utility otherwise eligible to receive
10 power cost equalization payments on behalf of a utility customer power cost equalization
11 payments for customers receiving protection under (a) of this section.

12 (f) In this section, "person" means a natural person.

13 * **Sec. 20.** The uncoded law of the State of Alaska is amended by adding a new section to
14 read:

15 REGULATORY ASSETS FOR UNPAID UTILITY BILLS AND
16 EXTRAORDINARY EXPENSES. A utility certificated under AS 42.05 may record
17 regulatory assets, to be recovered through future rates, for uncollectable residential utility bills
18 and extraordinary expenses that result from the novel coronavirus disease (COVID-19) public
19 health disaster emergency declared by the governor on March 11, 2020, as extended by sec. 2
20 of this Act. The determination as to whether an extraordinary expense resulted from the
21 COVID-19 public health disaster emergency and the amortization periods for the regulatory
22 assets are subject to approval by the Regulatory Commission of Alaska before recovery
23 occurs through future rates.

24 * **Sec. 21.** The uncoded law of the State of Alaska is amended by adding a new section to
25 read:

26 MORATORIUM ON EVICTIONS FOR NONPAYMENT OF RENT. (a) During the
27 novel coronavirus disease (COVID-19) public health disaster emergency declared by the
28 governor on March 11, 2020, as extended by sec. 2 of this Act, the statutory cause of action
29 for forcible entry and detainer for nonpayment of rent under AS 09.45 and any other statutory
30 cause of action that could be used to evict or otherwise eject a person who is a residential
31 tenant for nonpayment of rent is suspended as applied to a person experiencing financial

1 hardship related to the COVID-19 public health disaster emergency.

2 (b) A person seeking protection under (a) of this section shall, before the emergency
3 declaration expires, provide to the landlord a signed statement, sworn under penalty of
4 perjury, that the person is experiencing financial hardship related to the COVID-19 public
5 health disaster emergency.

6 (c) Nothing in this section prevents evictions for misconduct, violations of law, or
7 violations of contracts outside of inability to pay rent; this section may not be construed to
8 increase civil liability in a court of law.

9 (d) This section does not relieve a person of the obligation to pay rent or restrict a
10 landlord's ability to recover rent due.

11 (e) In this section, "person" means a natural person.

12 * **Sec. 22.** Sections 1 - 4 and 6 - 20 of this Act are repealed on the earlier of

13 (1) November 15, 2020; or

14 (2) the date the governor determines, under sec. 2 of this Act, that the public
15 health disaster emergency declared by the governor under AS 26.23.020 on March 11, 2020,
16 as extended by sec. 2 of this Act, no longer exists.

17 * **Sec. 23.** Section 5 of this Act is repealed January 16, 2021.

18 * **Sec. 24.** Section 21 of this Act is repealed June 30, 2020.

19 * **Sec. 25.** The uncodified law of the State of Alaska is amended by adding a new section to
20 read:

21 **RETROACTIVITY.** (a) If secs. 1 - 14 and 16 - 21 of this Act take effect after
22 April 10, 2020, secs. 1 - 14 and 16 - 21 of this Act are retroactive to April 10, 2020.

23 (b) Section 15 of this Act is retroactive to March 11, 2020.

24 * **Sec. 26.** This Act takes effect immediately under AS 01.10.070(c).